

REMARKS

This amendment is being filed in response to the non-final Office Action dated April 19, 2007. By this Response, claims 1, 3, 4, 6 and 7 are amended, and claims 2 and 5 are cancelled without prejudice. No new matter is added. Claims 1, 3, 4, 6 and 7 are now active for examination.

The Office Action rejected claims 1-7 under 35 U.S.C. §102(b) as being anticipated by Ohtsuji (U.S. Publication No. 2002/015670).

By this Response, the claims are amended to improve wording and clarify claim scope. Claim 1, after the amendment, clearly describes that a claimed apparatus allows a user to customize an audio guidance, such as audio menu prompts, such that only relevant selections would be provided to the user. This customized audio guidance is stored and retrieved for use in ALL subsequent dialogs with the user for submitting information request and retrieving the requested information. (See e.g. Figures 3 and 5, and page 15, line 23 through page 17, line 2 of the written description.) However, Ohtsuji fails to disclose these features, and the sections pointed out by the Examiner do not identically disclose these features.

Ohtsuji only describes an interactive data retrieve system that allows a driver to request data via an interactive dialogue with the system. The driver provides verbal requests, such as "Route assistance, please," to request information for directions. However, in Ohtsuji, each verbal request provided by the driver is for one time use only. The request is not stored for use in ALL subsequent dialogues with the driver. Therefore, Ohtsuji does not disclose "an interactive voice response device configured to allow a user to customize audio guidance through an automatic voice response via the telephone line and to store the customized audio guidance in a user information storage device for use in all subsequent dialogue with the user," as described in claim 1.

Applicants in an April 2, 2007 filing responding to a November 1, 2006 office action, clearly pointed out the differences between the claimed invention and Ohtsuji. Specifically, Applicants pointed out that Ohtsuji provides no disclosure whatsoever of a user customizing an audio guidance for use in a subsequent dialog with the user, and certainly not that of customization by an interactive voice response device. It is noted that this Office Action, in responding to the April 2, 2007 filing, simply replicated, word for word, the previous office action of November 1, 2006.

In responding to the differences between the claims and Ohtsuji, the rejection provided a short paragraph asserting that "Ohtsuji directs to an audio interactive navigation system including the elements for an interactive voice response. For example, car terminal device (100), mike (101) for realizing voice input, a speaker (102) for providing audible response to user. These device[sic] allows user to customize the audio guidance used in a subsequent dialogue with the user through an automatic voice response via a telephone line (see paragraph 0061)." See Page 4, last paragraph of the Office Action.

However, the identified paragraph 61 provides no disclosure whatsoever of a user customizing an audio guidance that is stored and for use in ALL subsequent dialogues with the user, and certainly not that of customization by an interactive voice response device. In its entirety, paragraph 0061 states as follows:

Upon receipt of it, the audio interactive server 105 generates a audio interactive description necessary to the first audio interaction by the interactive data generation unit 306 and returns a voice response to the car terminal device 100 via the voice communication processing unit 108. The first voice output to be received from the audio interactive server 105 in this case is preferably words for obtaining the request of the user such as "What?". In this example, the user desires assistance for the driving route including route search, so that he responds in voice including a predetermined keyword such as "Route assistance, please". Upon receipt of the voice response of the user, the audio interactive server 105 understands that the request of the user is "Route assistance" by the service decision unit 304 via the voice recognition processing unit 300 and the command conversion processing unit 302 in the voice communication processing unit 108.

It is impossible to see how paragraph 0061, quoted above, clearly and unambiguously discloses an interactive voice response device that allows the user to customize the audio guidance used in all subsequent dialogues with the user through the automatic voice response. There is no description of the user customizing the audio guidance. Even if the rejection intended to argue that the driver's verbal request allegedly "customizes" answers that would be provided by the Ohtsuji's system, the request is for one time use only and is not stored and for use in all subsequent dialogues with the driver.

Since Ohtsuji fails to disclose identically each and every element of the claimed invention within the intent of 35 U.S.C. §102, claim 1 should be considered allowable over the Ohtsuji reference. Reconsideration and withdrawal of the rejection of claim 1, as well as claims 3 and 6 which depend on claim 1 and further limit claim 1 are therefore respectfully requested.

Claim 4 describes an interactive voice response device configured to engage in a dialogue with a user through an automatic voice response via a telephone line, to customize audio guidance and store the customized audio guidance in a user information storage device for use in all subsequent dialogues with the user, and the interactive voice response device records information provided to the user in the past and customizes the audio guidance by using a type of information most frequently provided to the user among different types of information previously provided to the user. As discussed relative to claim 1, Ohtsuji does not disclose an interactive voice response device configured to engage in a dialogue with a user through an automatic voice response via a telephone line, to customize audio guidance and store the customized audio guidance in a user information storage device for use in all subsequent dialogues with the user. Furthermore, Ohtsuji does not specifically disclose that information provided to the user in the past is recorded and used

for customizing the audio guidance using the most frequently provided information. Accordingly, claim 4 is patentable over Ohtsuji.

Claim 7 recites an interactive voice response means for customizing audio guidance associated with the user based on the user's input when the customized guidance is stored and used in all subsequent dialogues with the user in automatic voice response via the telephone line. For similar reasons as provided above with respect to claim 1, claim 7 should also be considered allowable in view of Ohtsuji. Reconsideration and withdrawal of the rejection of claim 7 under 35 U.S.C. §102(a) are therefore respectfully requested.

In light of the remarks provided, this application should be considered in condition for allowance and the case passed to issue. If you have any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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